



Personal Marijuana Possession on Montana's Roads:



Know before you go.

Medicinal and adult-use marijuana possession and consumption is permitted in Montana. Marijuana consumers may wonder how they can legally transport their marijuana in their personal vehicle while adhering to Montana's laws.

The Cannabis Control Division is providing information for those individuals who wish to ensure that they are avoiding the unlawful possession of marijuana, marijuana products, and/or marijuana paraphernalia in a motor vehicle on Montana's roads.

Which Montana statute addresses marijuana, marijuana products and marijuana paraphernalia in a motor vehicle on Montana's roads?

- [§ 61-8-1027, MCA](#)

How may marijuana, marijuana products, and/or marijuana paraphernalia just purchased at a dispensary, for purposes of personal consumption, be transported in a personal (non-commercial) motor vehicle?

- The purchase(s) from the dispensary must remain in its unopened, original packaging

How may an individual travel in a non-commercial motor vehicle with their personal marijuana, marijuana products and/or marijuana paraphernalia?

- In a motor vehicle's locked glove compartment or storage compartment
- In a motor vehicle's trunk or luggage compartment
- In a truck bed or cargo compartment
- Behind the last upright seat of a motor vehicle that is not equipped with a trunk
- In a closed container in the area of a motor vehicle that is not equipped with a trunk and that is not normally occupied by the driver or a passenger

How much marijuana and/or marijuana products may an eligible individual possess while traveling in a non-commercial motor vehicle?

- Per [§ 16-12-106, MCA](#), a registered cardholder or eligible adult consumer may possess and/or transport 1 ounce or less of their personal, usable marijuana

**Not more than 8 grams may be in a concentrated form and not more than 800 milligrams of THC may be in edible marijuana products meant to be eaten or swallowed in solid form*

Is a violation of statute [§ 61-8-1027, MCA](#), a criminal penalty or a civil penalty?

- A violation of this statute is a civil penalty (e.g., not punishable with incarceration time and/or supervised probation and/or parole)

What is the penalty for a conviction due to unlawful possession of marijuana, marijuana products, and/or marijuana paraphernalia in a motor vehicle under [§ 61-8-1027, MCA](#) ?

- An individual convicted of the offense of unlawful possession of marijuana, marijuana products, and/or marijuana paraphernalia in a motor vehicle shall be fined an amount not to exceed \$100.00

Will a conviction for a violation of [§ 61-8-1027, MCA](#), be recorded or charged against a driver's record? Will a conviction impact the individual's motor vehicle insurance?

- A violation of this section is not a criminal offense and may not be recorded or charged against a driver's record
- A motor vehicle insurance company may not hold a violation of this section against the insured or increase premiums because of the violation

Can a person lawfully travel by motor vehicle, commercial and non-commercial, to another state while transporting their personal marijuana, marijuana products, and/or marijuana paraphernalia?

- Crossing state lines in a motor vehicle with personal, adult-use marijuana, marijuana products, and/or marijuana paraphernalia is **prohibited** under any circumstances

Is there an exception for medicinal use marijuana, marijuana products, and/or medical marijuana paraphernalia?

- There is no exception for traveling across state lines with medicinal marijuana; it remains **prohibited**

If an individual can transport their personal marijuana, marijuana products, and/or marijuana paraphernalia in their motor vehicle, can they consume or be under the influence of marijuana and/or marijuana products while driving?

- No. [Per § 61-8-1002, MCA](#), a person commits the offense of driving under the influence if the person drives or is in actual physical control of a vehicle (non-commercial and commercial) while consuming marijuana/marijuana products and/or having 5 nanograms per milliliter

(5ng/ml) or more of Delta-9 THC in their blood or other bodily substance

Resources:

- [Montana Code Annotated § 16-12-8-106-Personal Use and Cultivation of Marijuana--Penalties](#)
- [Montana Code Annotated § 61-8-1002-Driving Under Influence of Alcohol or Drugs](#)
- [Montana Code Annotated § 61-8-1027-Unlawful Possession of Marijuana, Marijuana Products, or Marijuana Paraphernalia in a Motor Vehicle on a Highway](#)